

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAMES G. TRUMP, SR.,	§
	§
Defendant Below-	§ No. 478, 2008
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 9703005786
Plaintiff Below-	§
Appellee.	§

Submitted: January 7, 2009

Decided: March 6, 2009

Before **BERGER, JACOBS**, and **RIDGELY**, Justices.

ORDER

This 6th day of March 2009, after careful consideration of the opening brief, motion to affirm, and response thereto, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated August 25, 2008. The Superior Court did not err in concluding that appellant's third motion for postconviction relief was procedurally barred and that appellant had failed to overcome the procedural hurdles of Rule 61(i)(1)-(3).

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice